

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF HAWAI'I

3 PATRICIA N. and GUY N.,) CIVIL NO. CVOO-00252
Individually and as Guardians) DAE/LEK
4 Ad Litem of AMBER N., a minor) (Other Civil Matter)

5 Plaintiffs,

6 vs.

7 PAUL LEMAHIEU, in his official)
capacity as Superintendent of)
8 the Hawai'i Public Schools;)
BETH SCHIMMELFENNIG, in her)
9 official capacity as an)
Education Specialist; PHYLLIS)
10 IDA, in her official capacity as)
an employee of the Department)
11 of Education, State of Hawai'i)
and DEPARTMENT OF EDUCATION,)
12 State of Hawai'i,)

13 Defendants.)
14 -----)

15 DEPOSITION OF GUY NAHALE

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17
18 Taken on behalf of Defendants at Conference Room 203,
19 Leiopapa A Kamehameha, 235 South Beretania Street,
20 Honolulu, Hawai'i commencing at 1:30 p.m., on
21 Wednesday, March 14, 2001, pursuant to Notice.

22
23 EXHIBIT B

24
25 REPORTED BY: HOLLY M. HACKETT, RPR/CSR #130
Certified Shorthand Reporter

1 Q. Okay. Now, your wife has been unemployed
2 since when again?

3 A. May, May of '98.

4 Q. May of '98. But for the actions of the
5 DOE or DOH -- we'll just say "the state" do you
6 believe she'd be employed right now bringing money
7 into your family allowing you to live in a more
8 comfortable style?

9 A. If what?

10 Q. But for the action of the DOE, DOH, the
11 state, if they hadn't basically messed up -- we will
12 put it that way -- I kind of get the sense that's
13 what you think -- do you believe your wife would now
14 be fully employed bringing money into the family,
15 making life better?

16 A. I believe so.

17 Q. Even to this point you're providing
18 services to your child which you really shouldn't
19 have to, approximately 20 hours a week or more maybe?

20 A. I'm playing the therapist role, yes.

21 Q. Your wife is playing the therapist role
22 to some degree too, isn't that correct?

23 A. Yes.

24 Q. That's something the state should be
25 doing?

1 CERTIFICATE

2 I, HOLLY HACKETT, C.S.R., do certify

3 That on March 14, 200q, at 1:30 p.m. appeared
4 before me GUY NAHALE, the witness whose testimony is
5 contained herein; that prior to being examined, the
6 witness was by me duly sworn or affirmed; that the
7 proceedings were taken in computerized machine
8 shorthand by me and were thereafter reduced to print
9 by me; that the foregoing represents, to the best of
10 my ability, a correct transcript of the proceedings
11 had in the foregoing matter;

12 That the witness, if applicable, was notified
13 through counsel, by mail or by telephone to appear
14 and sign; that if the transcription is not signed,
15 either the reading and signing were waived by the
16 witness and all parties, or the witness has failed to
17 appear and the original is therefore kept on file
18 without signature pursuant to Court rules.

19 I further certify that I am not counsel for any
20 of the parties hereto, nor in any way interested in
21 the outcome of the cause named in the caption.

22 DATED: This 20th day of March, 2001

23 Holly M. Hackett
24 HOLLY M. HACKETT, RPR, CSR #130
25 Certified Shorthand Reporter